IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVI APPELLATE SIDE JURISDICTION

WRIT PETITION NO 8l05 OF 2005

Tasgaon Agency ...Petitioners

vs

The Chief Executive Officer & ors....Respondents

Mr.B R Patil for petitioners

Mr. A B Vagyani for respondent no.l

CORAM: S.U.KAMDAR J.

Dated 5.l2.2005

P.C:

l. By the impugned order dated 29.6.2005 the Divisional Joint Registrar has granted the revision of the petitioner and set aside the auction sale dated 30.l.2004 subject to the petitioners depositing in the court Rs.6,09,500 with 5% interest thereon. The learned counsel for the petitioners states that he only seeks extension of time to deposit and is not challenging the order impugned herein. However, the learned counsel for the respondent no.l states that the order dated 29.6.2005 is illegal and the order of setting aside the auction sale must be interfered with by me. However, the respondent no.l has not challenged the said order by filing any writ petition. In that

view of the matter it is not possible to accept the contention of the learned counsel for the respondent no.l.

2. So far as the extension of time is concerned time to deposit is extended for a period of two weeks from today subject to condition that the petitioner will pay interest on Rs.6,09,500 at the rate of l2% p.a.

3. The application by the learned counsel for the respondent no.l for stay of this order is rejected.